

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

**North American Stevedoring Company, LLC
9301 South Kreiter Ave.
Chicago, Illinois 60617**

ATTENTION:

**Zachary Janson
Operations Manager**

Request to Provide Information Pursuant to the Clean Air Act

The U.S. Environmental Protection Agency is requiring North American Stevedoring Company, LLC (NASCO or you) to submit certain information about the facility owner or operated by NASCO at 9301 South Kreiter Ave., Chicago, Illinois. Appendix A provides the instructions needed to answer this information request, including instructions for electronic submissions. Appendix B specifies the information that you must submit and conduct. You must send this information to us according to the schedule in Appendix B.

We are issuing this information request under Section 114(a) of the Clean Air Act (the CAA), 42 U.S.C. § 7414(a). Section 114(a) authorizes the Administrator of EPA to require the submission of information. The Administrator has delegated this authority to the Director of the Air and Radiation Division, Region 5.

NASCO owns and operates emission sources at its Chicago, Illinois facility. We are requesting this information to determine whether your emission sources are complying with the Clean Air Act and the Illinois State Implementation Program.

NASCO must send all required information to:

Attn: Compliance Tracker, AE-18J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency
Region 5
77 W. Jackson Boulevard
Chicago, Illinois 60604

and

R5AirEnforcement@epa.gov, miller.patrick@epa.gov, and
cantello.nicole@epa.gov.

NASCO must submit all required information under an authorized signature with the following certification:

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Clean Air Act and 18 U.S.C. §§ 1001 and 1341.

As explained more fully in Appendix C, you may assert a claim of business confidentiality under 40 C.F.R. Part 2, Subpart B for any part of the information you submit to us. Information subject to a business confidentiality claim is available to the public only to the extent, and by means of the procedures, set forth at 40 C.F.R. Part 2, Subpart B. If you do not assert a business confidentiality claim when you submit the information, EPA may make this information available to the public without further notice. You should be aware, moreover, that pursuant to Section 114(c) of the CAA and 40 C.F.R. § 2.301(a) and (f), emissions data, standards and limitations are not entitled to confidential treatment. Appendix C provides additional information regarding the meaning and scope of the term “emissions data.”

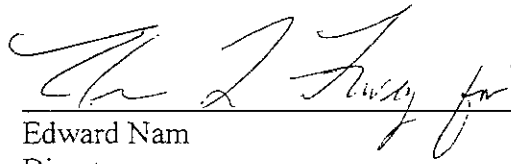
This information request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 *et seq.*, because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation.

We may use any information submitted in response to this request in an administrative, civil or criminal action.

Failure to comply fully with this information request may subject NASCO to an enforcement action under Section 113 of the CAA, 42 U.S.C. § 7413.

You should direct any questions about this information request to Patrick Miller at 312-886-4044.

10/5/18
Date



Edward Nam
Director
Air and Radiation Division

Appendix A

When providing the information requested in Appendix B, use the following instructions and definitions.

Instructions

1. Provide a separate narrative response to each question and subpart of a question set forth in Appendix B.
2. Precede each answer with the number of the question to which it corresponds and, at the end of each answer, identify the person(s) who provided information used or considered in responding to that question, as well as each person consulted in the preparation of that response.
3. Indicate on each document produced, or in some other reasonable manner, the number of the question to which it corresponds.
4. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
5. Where information or documents necessary for a response are neither in your possession nor available to you, indicate in your response why the information or documents are not available or in your possession, and identify any source that either possesses or is likely to possess the documents or information.
6. If information not known or not available to you as of the date of submission later becomes known or available to you, you must supplement your response. Moreover, should you find at any time after the submission of your response that any portion of the submitted information is false or incorrect, you must notify EPA as soon as possible.

Electronic Submissions

To aid in our electronic recordkeeping efforts, we request that you provide all documents responsive to this information request in an electronic format according to paragraphs 1 through 6, below. These submissions are in lieu of hard copy.

1. Provide all responsive documents in Portable Document Format (PDF) or similar format, unless otherwise requested in specific questions. If the PDFs are scanned images, perform at least Optical Character Recognition (OCR) for "image over text" to allow the document to be searchable. Submitters providing secured PDFs should also provide unsecured versions for EPA use in repurposing text.
2. When specific questions request data in electronic spreadsheet form, provide the data and corresponding information in editable Excel or Lotus format, and not in image format. If Excel or Lotus formats are not available, then the format should allow for data to be used in calculations by a standard spreadsheet program such as Excel or Lotus.

3. Provide submission on physical media such as compact disk, flash drive or other similar item.
4. Provide a table of contents for each compact disk or flash drive containing electronic documents submitted in response to our request so that each document can be accurately identified in relation to your response to a specific question. *We recommend the use of electronic file folders organized by question number.* In addition, each compact disk or flash drive should be labeled appropriately (e.g., Company Name, Disk 1 of 4 for Information Request Response, Date of Response).
5. Documents claimed as confidential business information (CBI) must be submitted on separate disks/drives apart from the non-confidential information. This will facilitate appropriate records management and appropriate handling and protection of the CBI. Please follow the instructions in Appendix C for designating information as CBI.
6. Certify that the attached files have been scanned for viruses and indicate what program was used.

Definitions

All terms used in this information request have their ordinary meaning unless such terms are defined in the CAA, 42 U.S.C. §§ 7401 *et seq.*, and the Illinois State Implementation Plan.

Appendix B

Information You Are Required to Submit to EPA

North American Stevedoring Company, LLC (NASCO or you) must submit the following information pursuant to Section 114(a) of the CAA, 42 U.S.C. § 7414(a) in accordance with the schedule specified in the paragraphs below.

1. Within 10 days of receipt of this information request, NASCO shall submit a written certification of its intent to comply

PM₁₀ and Metals Monitoring and Siting

2. NASCO shall install one ambient air sampler for particulate matter less than 10 microns (PM₁₀) and metals at your facility.
3. Within 30 days of receipt of this Request, NASCO shall submit for EPA review and approval a monitoring plan consisting of: (1) an annual wind rose and four seasonal wind roses showing wind patterns as reported for the past five years at the nearest available meteorological station; (2) a ranking of at least three proposed sampling/monitoring site locations in areas of supposed highest impact on ambient air concentrations, with appropriate justification of chosen locations, for EPA review and approval prior to installing the samplers on-site; and (3) map(s) showing the property lines of the facility, the locations of nearby residences and industrial properties, and proposed locations of the sampling sites. EPA will approve the final location of the sampler based on all available data.
4. Within 30 days of EPA approval of the sampling location specified in Item 2, NASCO shall install, operate, and maintain one Federal Reference Method (FRM) PM₁₀, filter-based sampler at the facility.
5. The sampling sites and equipment shall conform with the following requirements:
 - a. The PM₁₀ filter-based sampler shall meet all of the specifications of FRMs outlined in 40 C.F.R. Part 50, Appendix Q to Part 50 following multi-element analyses outlined in 40 C.F.R. Part 50, Appendix Q, Part 1.3 and guidance outlined in Compendium of Methods for the Determination of Inorganic Compounds in Ambient Air Chapter IO-3 and/or US EPA's Technical Assistance Document for the National Air Toxics Trends Stations Section 4.4 (<https://www3.epa.gov/ttnamti1/files/ambient/inorganic/overvw3.pdf> and/or https://www3.epa.gov/ttnamti1/files/ambient/airtox/NATTS%20TAD%20Revision%203_FINAL%20October%202016.pdf);
 - b. NASCO shall follow all monitoring, siting and quality assurance criteria in 40 CFR Part 58, Appendix E;

- c. The PM₁₀ filter-based sampling shall follow the 1-in-3-day EPA Monitoring Schedule for 2018. The Sampling Schedule Calendar can be found here: <https://www3.epa.gov/ttn/amtic/files/ambient/pm25/calendar2018.pdf>;
 - d. PM₁₀ concentrations as well as other ambient air metal concentrations of PM₁₀ (arsenic, cadmium, chromium, manganese, nickel, and vanadium) from filter-based sampling shall be determined according to 40 C.F.R. 50, Appendix Q – “Reference Method for the Determination of Lead in Particulate Matter as PM₁₀ Collected from Ambient Air;”
 - e. The collected PM₁₀ sample filters will undergo multi-element analyses for the determination of lead, arsenic, cadmium, chromium, manganese, nickel, and vanadium following an FRM laboratory method (listed here: <https://www.epa.gov/amtic/air-monitoring-methods>); and
 - f. All data collected shall be consistent with units of microgram per cubic meter (µg/m³) at local conditions of temperature and pressure.
6. NASCO shall follow all monitoring, siting, and quality assurance criteria as detailed in 40 C.F.R. Part 58, Appendix A “Quality Assurance Requirements for SLAMS, SPMs, and PSD Air Monitoring,” Parts 1 (General Information), 2 (Quality System Requirements), 3.4.1 (*Flow Rate Verification for Pb-PM₁₀ Low Volume Samplers (less than 200 liter/minute)*), 3.4.3 (*Semi-Annual Flow Rate Audit for Pb*), and 4 (Calculations for Data Quality Assessments) excluding Sections 4.2.1, 4.2.4, and 4.2.5.
 7. NASCO shall follow all monitoring, siting, and quality assurance criteria as detailed in 40 C.F.R. Part 58, Appendix D “Network Design Criteria for Ambient Air Quality Monitoring,” Parts 1 (Monitoring Objectives and Spatial Scales, for reference).
 8. The monitors shall be operated in accordance with operating procedures identified in the Quality Assurance Handbook for Air Pollution Measurement Systems “Volume I: A Field Guide to Environmental Quality Assurance” and “Volume II: Ambient Air Quality Monitoring Program,” including operating in accordance with the most recent “Appendix D to QA Handbook Volume II: Measurement Quality Objectives and Validation Templates” for critical criteria, operational evaluations, and systematic criteria purposes (https://www3.epa.gov/ttn/amtic/files/ambient/pm25/qa/APP_D%20validation%20template%20version%2003_2017_for%20AMTIC%20Rev_1.pdf).
 9. NASCO shall be responsible for all operation and maintenance associated with the PM₁₀ monitors. Maintenance shall include, at a minimum, the replacement of any equipment and cleaning on a schedule specified in “Appendix D to QA Handbook Volume II: Measurement Quality Objectives and Validation Templates” and/or the manufacturer’s maintenance manual.
 10. NASCO shall order and pay for any necessary replacement parts, accessories, maintenance, etc.
 11. The laboratory analyzing the samplers shall archive all filters from the PM₁₀ filter-based samplers for three years in accordance with the laboratory’s standard operating

procedures for the chosen method of multi-element analysis if there is remaining filter following the analysis.

12. All sampling shall take place for at least two years year from the date of installation, and may be required for longer if sampling results do not meet data completeness requirements outlined in 40 C.F.R. Part 50, Appendix R "Interpretation of the National Ambient Air Quality Standards for Lead," and the most recent "Appendix D to QA Handbook Volume II: Measurement Quality Objectives and Validation Templates" for critical criteria, operational evaluations, and systematic criteria purposes (https://www3.epa.gov/ttn/amtic/files/ambient/pm25/qa/APP_D%20validation%20template%20version%202003_2017_for%20AMTIC%20Rev_1.pdf).

Wind Speed and Direction Monitoring

13. NASCO must install a meteorological tower to continuously measure and record wind speed and wind direction at 1-hour intervals throughout the entire sampling period. NASCO shall follow the "Quality Assurance Handbook for Air Pollution Measurement Systems, Volume IV: Meteorological Measurements Version 2.0 (Final)" (https://www3.epa.gov/ttn/amtic/files/ambient/met/Volume_IV_Meteorological_Measurements.pdf) for operation of the tower.
14. NASCO shall utilize the meteorological tower to correlate 24-hr ambient PM₁₀ and metals in PM₁₀ measurements with wind speed and wind direction data to determine source direction and the effects of wind speed on PM₁₀ concentrations and 24-hr other ambient air metal concentrations in Particulate Matter as PM₁₀ (e.g., a pollution wind rose that displays the pollution concentration and wind direction frequency). NASCO shall maintain and/or submit reports and records in accordance with the items 16-22 below.
15. The internal clocks of all PM₁₀ analyzers, data loggers, and the wind speed and wind direction data logger shall be synchronized to within 60 seconds of each other (local time and not adjusted for Daylight Savings Time) and shall be checked against a calibrated reference clock at least once every 30 days. Instrument clocks that are more or less than 60 seconds from the reference clock shall be reset to within 60 seconds of the reference clock. Each of these inconsistencies and each reset time shall be noted in the study log.

General Requirements

16. Within 30 days of EPA approval of the monitoring plan, NASCO shall submit a Quality Assurance Project Plan (QAPP) to EPA for approval. The guidance document for writing a QAPP is "EPA Guidance for Quality Assurance Project Plans," EPA QA/G-5, EPA/600/R-02/009 - December 2002. The guidance is available at <https://www.epa.gov/sites/production/files/2015-06/documents/g5-final.pdf>.
17. NASCO shall provide EPA, Illinois Environmental Protection Agency and the City of Chicago access to the monitor and respond to any inquiries regarding sampler siting, operations, quality control, quality assurance or maintenance. In the event that an

inspector or auditor identifies problems, NASCO shall take appropriate corrective actions. Any changes made to monitor siting, operations or maintenance shall be approved by EPA prior to the change and included in a revision to any approved QAPP.

18. NASCO shall keep a daily log and develop monthly reports of the following information in accordance with EPA's Quality Assurance Handbook for Air Pollution Measurement Systems Volume II: Ambient Air Quality Monitoring Program Section 5.0 and operational information:

Monitoring

- a. Each site visit and operator activities;
- b. Any sampling system downtime (date, time, duration, and reason) along with any corrective actions taken;
- c. Any possible interferences observed by the operator such as nearby construction or demolition that could contribute to PM₁₀ emissions as detected by the monitors; and
- d. Any calibration data provided by the manufacturer or performed by NASCO;

Operations

- e. List including the date, time, dock location, duration of unloading, and material unloaded from a barge or vessel;
 - f. List including the number of daily trucks delivering bulk material, the material handled and final building storage location;
 - g. List including the number of daily trucks receiving bulk material and the material handled;
 - h. List including the number of daily railcars delivering bulk material, the material handled and final building storage location; and
 - i. List including the number of daily railcars receiving bulk material and the material handled.
19. Hourly data from the meteorological monitoring site and 24-hour data PM₁₀ sampler shall be downloaded as ASCII comma-delimited files and Excel format (.xlsx), and provided to EPA via email every month. The files should have a single "header" row, with all following rows being individual records, and all columns being a single variable according to the header row. The "header" row shall be consistent every month, along with the same file name with corresponding date.
20. NASCO shall review the metals in PM₁₀ data monthly and, for any days where the manganese concentration is greater than 0.3 µg/m³, NASCO shall:
- a. Identify the root cause of each instance in which the manganese concentration is greater than 0.3 µg/m³;
 - b. When the root cause is unknown, provide a description of efforts taken by NASCO to investigate the root cause of each instance when the manganese concentration is greater than 0.3 µg/m³, and include a copy of any related operation records;

- c. Describe corrective actions taken in response to the root cause of each instance when the manganese concentration is greater than $0.3 \mu\text{g}/\text{m}^3$, including descriptions of related documents that address the cause of the reading, if any; and
 - d. Describe preventative actions taken, if any, and actions to be taken, if any, by NASCO to eliminate such instances when the manganese concentration is greater than $0.3 \mu\text{g}/\text{m}^3$, or, alternatively, a justification for taking no additional action to address such instances.
21. Quality assurance documentation including flow rate verifications, semi-annual audits, and daily log reports shall be included within the monthly reports detailed in Paragraphs 18-20. NASCO shall review collected meteorological, 24-hr ambient PM_{10} , and 24-hr metals in PM_{10} measurements in conjunction with quality assurance documentation prior to submitting monthly reports to validate the collected data.
22. Monthly reports and analyses specified in Paragraphs 18-20, shall be submitted to EPA for the duration of sampling specified in Paragraphs 12 (two years). NASCO shall submit these monthly reports and analyses within 30 days of the end of the month being reported to:
- a. miller.patrick@epa.gov;
 - b. cantello.nicole@epa.gov; and
 - c. R5airenforcement@epa.gov.

Appendix C

Confidential Business and Personal Privacy Information

Assertion Requirements

You may assert a business confidentiality claim covering any parts of the information requested in the attached Appendix B, as provided in 40 C.F.R. § 2.203(b).

Emission data provided under Section 114 of the CAA, 42 U.S.C. § 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2.

“Emission data” means, with reference to any source of emissions of any substance into the air:

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing;

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and

A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

40 C.F.R. § 2.301(a)(2)(i)(A), (B) and (C).

To make a confidentiality claim, submit the requested information and indicate that you are making a claim of confidentiality. Any document for which you make a claim of confidentiality should be marked by attaching a cover sheet stamped or typed with a caption or other suitable form of notice to indicate the intent to claim confidentiality. The stamped or typed caption or other suitable form of notice should employ language such as “trade secret” or “proprietary” or “company confidential” and indicate a date, if any, when the information should no longer be treated as confidential. Information covered by such a claim will be disclosed by EPA only to the extent permitted and by means of the procedures set forth at Section 114(c) of the CAA and 40 C.F.R. Part 2. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified. EPA will construe the failure to furnish a confidentiality claim with your response to the information request as a waiver of that claim, and the information may be made available to the public without further notice to you.

Determining Whether the Information Is Entitled to Confidential Treatment

All confidentiality claims are subject to EPA verification and must be made in accordance with 40 C.F.R. § 2.208, which provides in part that you must satisfactorily show: that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so, that the information is not and has not been reasonably obtainable by legitimate means without your consent and that disclosure of the information is likely to cause substantial harm to your business's competitive position.

Pursuant to 40 C.F.R. Part 2, Subpart B, EPA may at any time send you a letter asking that you support your confidential business information (CBI) claim. If you receive such a letter, you must respond within the number of days specified by EPA. Failure to submit your comments within that time would be regarded as a waiver of your confidentiality claim or claims, and EPA may release the information. If you receive such a letter, EPA will ask you to specify which portions of the information you consider confidential by page, paragraph and sentence. Any information not specifically identified as subject to a confidentiality claim may be disclosed to the requestor without further notice to you. For each item or class of information that you identify as being CBI, EPA will ask that you answer the following questions, giving as much detail as possible:

1. For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a special event or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.
2. Information submitted to EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question number 1?
3. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available databases, promotional publications, annual reports or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
5. Has any governmental body made a determination as to confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, explain with specificity why release of the information is likely to cause substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?

7. Do you assert that the information is submitted on a voluntary or a mandatory basis? Please explain the reason for your assertion. If you assert that the information is voluntarily submitted information, explain whether and why disclosure of the information would tend to lessen the availability to EPA of similar information in the future.
8. Is there any other information you deem relevant to EPA's determination regarding your claim of business confidentiality?

If you receive a request for a substantiation letter from the EPA, you bear the burden of substantiating your confidentiality claim. Conclusory allegations will be given little or no weight in the determination. In substantiating your CBI claim(s), you must bracket all text so claimed and mark it "CBI." Information so designated will be disclosed by EPA only to the extent allowed by and by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If you fail to claim the information as confidential, it may be made available to the public without further notice to you.

Personal Privacy Information

Please segregate any personnel, medical and similar files from your responses and include that information on a separate sheet(s) marked as "Personal Privacy Information." Disclosure of such information to the general public may constitute an invasion of privacy.

CERTIFICATE OF MAILING

I certify that I sent a Request to Provide Information Pursuant to the Clean Air Act by
Certified Mail, Return Receipt Requested, to:

Zachary Janson
Operations Manager
North American Stevedoring Company, LLC
9301 South Kreiter Ave.
Chicago, Illinois 60617

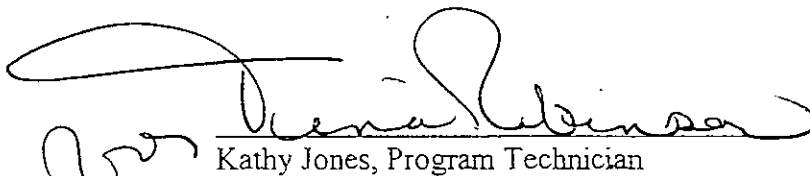
I also certify that I sent a copy of the Request to Provide Information Pursuant to the
Clean Air Act by E-mail to:

Rudy Becerra, Safety and Compliance Manager
North American Stevedoring Company, LLC
Rudy.becerra@qsl.com

Julie Armitage, Chief
Bureau of Air
Illinois Environmental Protection Agency
Julie.Armitage@Illinois.gov

Jennifer Hesse
Chicago Department of Public Health
Jennifer.hesse@cityofchicago.org

On the 5th day of October 2018.


Kathy Jones, Program Technician
AECAB, PAS

CERTIFIED MAIL RECEIPT NUMBER: 70170530000062887644